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Sunday Spin: Stepping into the debate between the court and lawmakers

By Jim Camden

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OLYMPIA – Members of Greater Spokane Inc. and nearby chambers of commerce made their annual pilgrimage to the capital last week and walked into the middle of the debate over public schools and the courts, which may be the session's most contentious issue.

The group, which comes early each year to lobby for a variety of local projects and concerns, arrived just as the Senate had passed a new plan to pay for charter schools, so the topic was ripe for discussion – and differences of opinion – from lawmakers making presentations the next day.

The Senate had voted to pay for charter schools out of the fund that holds money collected from the Lottery, then refill that pot of money from the general fund. That isn't going to cut it with the Supreme Court, which last fall said charter schools can't get money from the general fund, Sen. Andy Billig, D-Spokane, predicted. People might not like the court's decision – heck, nobody likes all the court's decisions – but that's the system we have, he told the group.

Rep. Bob McCaslin, R-Spokane Valley, was not so charitable toward the high court. "Supreme Court overreach is the main issue," he told the group a few minutes later. "The Supreme Court keeps moving the goal posts of what we're supposed to achieve, and when."

Rep. Chris Reykdal, D-Tumwater, said House Democrats have doubts court will agree with using Lottery money and may counter with something else. Other charter schools around the state might have to do what the two Spokane schools did and come under the control of their local school district, he said.

But there are 296 school districts in the state, and only the Spokane School District stepped forward on charter schools, said Sen. Steve Litzow, R-Mercer Island. He was quick to compliment the District 81 leadership on being forward thinking but added it was also "very unique." Litzow had pushed the charter school revision bill through the Senate the day before but said debate would continue for weeks.

Like McCaslin, he accused the court of “over-reach” for requiring a plan on how the Legislature will deliver on the final piece of its paramount constitutional duty to provide adequately for the education of the state’s children. That involves changing the way state and local property taxes are collected and distributed, a complicated problem which has many proposals, each with only a few supporters, he said.

“You literally have lit everybody’s hair on fire in the Legislature,” Litzow told the group. Well, not literally, because no one has shown up on the floor with singed locks. But it is a hot topic.

Before leaving town, the Spokane contingent had breakfast with Chief Justice Barbara Madsen and Justice Debra Stephens, who tried to pour a little oil on troubled waters. They meet regularly with the governor and legislators on “areas where we bump up against each other,” Madsen said. “We try to be reasonable with one another.”

Asked for a reaction to the fact the Legislature has done little or nothing about the contempt order and the \$100,000 per day fine for not coming up with a plan to solve that property tax conundrum, Stephens demurred.

“We don’t have a bank account,” she said, although the court is tracking the total owed. “Do we feel snubbed? It’s neither here nor there. Our enforcement power depends on the respect for the rule of law.”

Jim Camden is the Olympia bureau chief, covering the Legislature and state government. He also is a political columnist and blogger for Spin Control.